

Bountiful City
Administrative Committee Minutes
July 14, 2014

Present: Chairman – Chad Wilkinson; Committee Members – Lloyd Cheney and John Marc Knight; Assistant Planner – Royce Davies; Recording Secretary – Julie Holmgren

1. Chairman Wilkinson opened the meeting at 5:01 p.m. and all present introduced themselves.
2. **Consider approval of minutes for June 30, 2014 and July 7, 2014.**

Chairman Wilkinson noted that the June 30, 2014 minutes were deferred for approval to this meeting since committee members present at the July 7, 2014 meeting were not present at the June 30, 2014 meeting.

Mr. Cheney made a motion to approve the minutes for June 30, 2014. Mr. Wilkinson seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
_____ Mr. Knight – Abstained

Motion passed 2-0.

Chairman Wilkinson noted that Acting Chairman Badham (substituting for Mr. Wilkinson) and Todd Christensen (substituting for Mr. Cheney) were present at the July 7, 2014 Administrative Committee meeting. Mr. Wilkinson explained that prior to the July 14, 2014 Administrative Committee meeting, he listened to an audio recording of the July 7, 2014 meeting and reviewed the minutes. Mr. Todd Christensen also reviewed the minutes.

Mr. Knight made a motion to approve the minutes for July 7, 2014. Mr. Cheney seconded the motion.

 A Mr. Wilkinson
 A Mr. Cheney
 A Mr. Knight

Motion passed 3-0.

3. **PUBLIC HEARING - Consider a Conditional Use Permit to allow for Solar Panels at 556 Indian Springs Rd., Robert Mabey, applicant.**

Robert Mabey, applicant was present, along with Creative Energies contractor, Scott Jones.

Royce Davies presented a summary of the staff report (the full staff report follows).

The property where the solar panels are to be installed is located in the R-3 Single Family Zone. Solar power panels are classified in the City Ordinance as “private power plants” and require a conditional use permit if they are over 10 Watts. The Applicant has indicated that the photovoltaic system to be installed will produce 8.37 kilowatts (8370 watts), requiring a conditional use permit.

The application submitted indicates the proposed installation of 2 photovoltaic arrays of 41 total panels. 19 panels will be located on the southwestern roof face of the house and 22 panels will be located on the southeastern roof face of the garage. The house and garage arrays will occupy 350 and 385 square feet of each roof respectively. The panels will be mounted parallel with the metal roofs. The house and garage roofs have slopes of 6/12 and 5/12 respectively. The roofs are of truss construction and the panels will be secured to the roofs with a SnapNrack mounting system secured by “SS Clips” to anchor to the seams of the metal roof of the garage and lag screws to attach to the trusses of the metal shingle roof of the house. A review of information provided in the application indicates that all engineering requirements for the construction of solar panels in Bountiful City will be met. A reflection analysis of the roof pitch indicates that photovoltaic panels should not produce a reflection nuisance to surrounding properties.

Based on the findings, staff has determined that the applicant would comply with all requirements for the conditional use permit. Staff recommends approval of the Conditional Use Permit with the following conditions:

1. The applicant shall obtain a building permit.
2. The panels must be installed only as proposed in the application.
3. This Conditional Use Permit is solely for this site and is non-transferable.

Mr. Scott Jones noted that the panels pose no reflection problems.

PUBLIC HEARING: Chairman Wilkinson opened the public hearing at 5:07 p.m., and the hearing was closed at 5:07 p.m. with no comment from the public.

Mr. Knight asked if this was the largest array the city had approved. Mr. Cheney replied that it is one of the largest.

Mr. Cheney made a motion to approve the Conditional Use Permit, with conditions outlined by staff, to allow for Solar Panels at 556 Indian Springs Rd., Robert Mabey, applicant. Mr. Knight seconded the motion.

 A Mr. Wilkinson

 A Mr. Cheney

 A Mr. Knight

Motion passed 3-0.

4. PUBLIC HEARING – Consider a Conditional Use Permit to allow for a Home Occupation Daycare with up to 12 children at 640 E. Center St., Stacey Nerdin, applicant.

Stacey Nerdin, applicant, was present.

Royce Davies presented a summary of the staff report (the full staff report follows).

The applicant is applying for a Conditional Use Permit for a Home Occupation Business located at 640 East Center Street. Bountiful City requires a conditional use permit for daycare businesses with more than 8 but not more than 12 children. The applicant intends to have up to 12 children at the daycare.

The applicant's home is in the Residential Single-Family R-4 zone. The single family home on the property will be used to run a daycare for children in the basement. The daycare meets the minimum required area of 35 square feet per child and the rear yard play area exceeds the minimum of 480 square feet that would be required for the maximum allowance of 12 children to play within the enclosed yard. The outdoor play area is fenced and secured with a gate. According to approximated floor plans created by the applicant, the daycare currently occupies approximately 100% of the square footage of the ground floor area of the residence. Staff has discussed the situation with the applicant and the applicant has agreed to comply with the code that restricts the daycare size to 50% of the ground floor area. Criminal background checks have been performed for all operators associated with the daycare. There is only one employee at the daycare. The applicant has been made aware of the annual inspection requirement for daycares with conditional use permits.

Staff recommends approval of a Conditional Use Permit to allow a Preschool to have up to 12 children with the following conditions:

1. The applicant shall reduce the square footage of the day care to no more than 50% of the ground floor area of the residence.
2. The applicant must comply with the requirements for a Home Occupation Business License and the Conditional Use Permit.
3. The applicant must comply with the Rules and Guidelines for a Daycare set forth by the Davis County Health Department.
4. The permit is for this applicant at this site and is not transferable.

Mr. Cheney inquired regarding the hours of operation for the daycare. Ms. Nerdin responded it would operate from 7:30 a.m. until 5:30 p.m. Ms. Nerdin also explained that she was able to comply with the square footage requirements by eliminating the office and laundry areas from the preliminary plan size previously presented to Mr. Davies, bringing the total proposed square footage for the daycare to 472 square feet. Mr. Knight inquired if this was adequate space for 12 preschool aged children. Ms. Nerdin responded in the affirmative and pointed out that there was a lunch area, a napping area, and restroom included in the plans. Mr. Knight asked how many square feet were required per child. Mr. Davies responded that 35 square feet per child is required, the current plans allow for a total of 472 square feet, and this meets the requirement of having less than 480 square feet designated for the daycare. Mr. Knight inquired regarding pick up and drop off of daycare children. Ms. Nerdin responded that the children would be picked up

and dropped in her driveway on the west side of 650 East, and that the cars would be backing out of her driveway. Mr. Knight expressed concern about cars backing up due to the possibility of little children being in proximity and suggested that parents park their cars at the street and walk the children to the daycare. Mr. Knight recommended this be a condition of approval. Mr. Wilkinson concurred and proposed that the following be added as condition five: "Drop off and pick up of daycare children will occur on 650 East with the children being walked to the daycare entrance. Vehicles will not enter or back out of the driveway." Mr. Wilkinson explained that the purpose of the restrictions on the daycare size is to ensure that this is truly a home occupation and that the home is used primarily for residential purposes and not for business purposes. He further explained that the city will complete an annual inspection. Mr. Wilkinson asked regarding the number of sessions planned for the daycare. Ms. Nerdin said that there was a planned preschool session in the morning but that the daycare was designed to operate from 7:30 a.m. until 5:30 p.m. Mr. Wilkinson clarified that there would be no more than 12 children at any given time. Ms. Nerdin replied that this would be the case (even though the child care licensing had approved her for 16) and was happy to comply.

PUBLIC HEARING: Chairman Wilkinson opened the public hearing at 5:20 p.m., and the hearing was closed at 5:20 p.m. with no comment from the public.

Mr. Knight made a motion to approve the Conditional Use Permit, with conditions outlined by staff with the addition of condition number five noted above, to allow for a Home Occupation Daycare with up to 12 children at 640 E. Center St., Stacey Nerdin, applicant. Mr. Cheney seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

5. Consider approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 469 Heritage Drive, Scott Hogan, applicant.

Mr. Cheney made a motion to approve the a Conditional Use Permit, in written form, to allow for Solar Panels at 469 Heritage Drive, Scott Hogan, applicant. Mr. Knight seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

6. **Consider approval of a Conditional Use Permit, in written form, to allow for Solar Panels at 38 W. Monarch Dr., Michael Roden, applicant.**

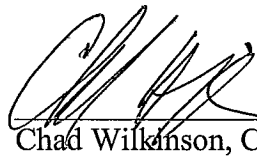
Mr. Cheney made a motion to approve the a Conditional Use Permit, in written form, to allow for Solar Panels at 38 W. Monarch Dr., Michael Roden, applicant. Mr. Knight seconded the motion.

A Mr. Wilkinson
A Mr. Cheney
A Mr. Knight

Motion passed 3-0.

7. **Miscellaneous business and scheduling.** Chairman Wilkinson noted that although correctly stated at that meeting, there was a typographical error in the staff report for the July 7, 2014 Administrative Committee meeting regarding the lot line adjustment at 3956 South Glade Hollow Way and 3976 South Glade Hollow Way, Brett Bradshaw and Gerald Guerts, applicants. The incorrect sentence reads: "Where it intersects lot 16, the northwestern corner of lot 17 will be moved 40 feet to the north along the western property line of lot 16." It should correctly read as: "Where it intersects lot 16, the northwestern corner of lot 17 will be moved 40 feet to the south along the western property line of lot 17." The July 7, 2014 staff report has been corrected to reflect this.

Chairman Wilkinson ascertained that there were no further items to discuss. The meeting was adjourned at 5:22 p.m.


Chad Wilkinson, City Planner